

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA

BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ERIC JAMES SCHULTZ,

Defendant.

CR 10-45-BLG-RFC

FINDINGS AND
RECOMMENDATIONS
CONCERNING PLEA

The Defendant, by consent, has appeared before me under Fed. R. Crim. P. 11 and has entered a plea of guilty to Counts I and II of the Indictment. He entered a plea of “Not True” to the forfeiture allegations in the Indictment.

After examining the Defendant under oath, the Court determined that the guilty pleas to Counts I and II were knowingly, intelligently, and voluntarily entered; that the Defendant fully understands his constitutional rights and the extent to which such rights are waived; and

that the offenses charged and to which guilty pleas were entered contained each of the essential elements of the offenses.

The Court further concludes that the Defendant had adequate time to review the Plea Agreement with counsel, that he fully understands each and every provision of the agreement and that all of the statements in the Plea Agreement, as amended, are true. I recommend that the Defendant be adjudged guilty of Counts I and II and that a trial date be set on the forfeiture allegations.

Should the Court accept this recommendation, sentencing will be set by Chief Judge Cebull.

Objections to these Findings and Recommendation are waived unless filed and served within fourteen (14) days. 28 U.S.C. § 636(b)(1)(B); Fed. R. Crim. P 59(b)(2).

DATED this 21st day of May, 2010.

/s/ Carolyn S. Ostby
United States Magistrate Judge